

KENTUCKY GAZETTE.

[NUMB. XLIII.]

SATURDAY, JULY 9, 1796.

July 4, 1796.

MR. BRADFORD,
In your Gazette of the 23d of last month, I find an answer to the objections I suggested, against the doctrine which was advanced by a *Constitutionalist*—“That the members of the last assembly, are, by the twenty-fourth section of the first article of our constitution, excluded for one year, from the legislature, and from the electoral body.” As the decency of language used by this correspondent, evinces that his object is really to ascertain the truth, I shall accept his invitation, and in the same spirit attempt a reply.

In opposition to my first objection, he shews, that the members of legislatures are sometimes styled officers. Not being possessed of all the authorities which he quotes, I can only presume he is correct. But I venture to assert, that on examining these authorities, and all the others in existence, it will be found, that in far the greater number of cases, where the word *officers* or *officers* is applied to the members of legislatures, it was to avoid circumlocution, when they are spoken of collectively with the other servants of government—who, he ought to have confessed, are generally styled officers, and the trusts they are invested with, offices; and that the reverse is true, when legislators are separately spoken of. The only exception to this assertion, which I have seen, is the one he quotes from our constitution. On which it may be remarked, that the present Pennsylvania constitution, on the same point, is in these words—“No senator or representative, shall, during the time for which he shall have been elected, be appointed to any civil office, under this Commonwealth, which shall have been created, or the emoluments of which shall have been increased, during such time.” This is nearly copied from the federal constitution, and the clause in our constitution, in question, is nearly copied from that of Pennsylvania; but our convention, to prevent the repetition of the word *time* in the same sentence, have introduced the word *office* in its stead. To avoid offending the ear, they have offended the understanding: for in the federal constitution, which is admired for the accuracy of its language, and the state constitutions, which I have perused, including our own, whenever all the functionaries of government are spoken of in detail, it is substantially in the following manner:—Members of the general assembly, and all officers executive and judicial—clearly, and some of them expressly, making a distinction between assembly-men and officers. I shall not detain you with an attempt to account for the terms of offices and officers, having been thus generally appropriated to the executive and judiciary departments; because I conceive it to be sufficient, that the fact is so, to establish the objection I have founded on it: for I rest on the position—that in the construction of any instrument, the words should be taken as they are most generally and commonly understood, unless restrained or extended to a more rare or uncommon meaning, by some special consideration. As to those who have but few political books to read, I shall only call on them to declare, what they have been accustomed to hear; not doubting but they will witness in my favour—that they have but seldom, if ever, heard legislators styled officers; and that the term has always been applied

to the members of the executive and judiciary. But another argument, in support of this objection, may be drawn from that clause in our constitution, which declares, that “the governor and all the civil officers, shall be liable to impeachment, for any misdemeanor in office.” Now it would be contradictory to other parts of the constitution, as well as the nature and reason of the case, to suppose that members of the legislature are included in the expression *civil officers*, and thereby subjected to impeachments.

I shall only trouble you with a few words in support of my second objection. To me, there still appears an evident and material distinction, between the emoluments of an office, and what is only considered as a reimbursement of the actual expenses incurred whilst in the execution of a trust. It is indeed possible for a legislature to fix a compensation for its members, which would amount to an emolument; but it never yet has happened, that a member of a state legislature, has been allowed more than about the one tenth part of what, on an average is considered to be an adequate compensation or emolument, for an executive or judicial officer; and long established custom, and the largeness of the number of the members of legislatures, with other obvious circumstances, render it highly improbable, that the proportion will ever be greatly changed. I am sure that the office of a legislature, if it be an office, has never been counted, or expected to be lucrative.—These considerations will satisfactorily account, why the check, provided by the constitution, on increasing the compensation of the members of the legislature, is not so rigorous, as the one respecting those appointed to the executive and judiciary departments.

But I wish it to be remembered, that I principally relied on my third objection—which on re-consideration, I think is conclusive. Contrary to what my opponent supposes, I do not find that any provision, contained in one clause of our constitution, is repeated in another.

But although such an inaccuracy might have happened, it is a rule of construction, as I before stated, that it shall never be interpreted, when the two clauses will, with propriety, bear different meanings and applications; which must be determined from the apparent object of each of the clauses. In this case, the object of the two clauses are so evidently distinct, as to need no comment; and it ought also to be noted, that the one so immediately follows the other, that it would be the more absurd to suppose, that the latter inadvertently comprised the former. If then the two clauses do not necessarily respect the same object, to construe the latter, so as to exclude from the legislature for a year any citizen, would not only be a violation of the rule alluded to, but likewise of a more important principle—that man ought to be deprived of life or privilege, but by the unequivocal declarations of the law.

If the gentleman will again recur to the constitution, he will find, that the clause which he quotes concerning the salary of the governor, is not superfluous: for nothing tantamount is contained in any other clause.

An observation here arises which

may suffice, on what he opposes to my fourth objection.

By his construction, not only many citizens,

would be arbitrarily deprived of

an important privilege, but the community also of the services of their most experienced and confidential men; which would be to violent a draught from the legislative talents of the country, that I am confident, that this could not have been the intention of the framers of its constitution. Or if it was, that virtuous patriots, as well as those who are only emulous of retaining their seats in the legislature, would prefer eligibility, with the existing compensation, to the consequences of such a change; and that therefore thus to extend the construction, would have the operation which I before stated.

I would not have thus far intruded on you and your readers, had I not thought it of consequence to remove what appeared to me, a willful suggestion of the ineligibility of such of the present assembly as were members of the last: because I am of opinion, that no good citizen would wish to hold a trust, from which he is really excluded by the constitution. That the continuation of our government ought to be revered, and all its provisions and institutions held inviolate, until altered or abrogated by the same authority that established them, is my political creed: to that neither can I agree in sentiments with my opponent, when he intimates that constitutional regulations are unnecessary, and have a tendency to “exchange men for machines”; or that they ought to be considered as “the checks and balances of aristocracy.” If I should find that I have mislaid his meaning, I shall be ready to ask his pardon; but understanding him as I do, I think it proper thus to signify my dissent, without having any desire or intention of entering into a polemical discussion of the subject. I would however, beg leave to remind him, that the people of a large community, can only govern themselves by agents, and that as the people are the sovereigns, it would be incompatible, that their agents should become so: moreover, that continual struggles will be making by the ambitious, respecting—the right of being agents—the nature, extent and duration, of their several powers—and who shall have the ascendancy over their fellow agents. The more short and simple the constitution is, which will regulate these concerns, and restrain these evils, with many others equally important, the more it ought to be admired; and if no constitution has yet been framed, which effectually answers all these purposes, the fault is not in the device, but in the want of greater perfection than it has attained.—The gentlemen will, at least, acknowledge, that sentiments so contrary to the opinions and practices of the freest communities in the world, should not have been published, without the arguments to support them.

Another *Constitutionalist*.

LONDON, April 22.
The account of the Cape of Good Hope being taken by the French is unfounded.

A letter received at New-York from Dominica, dated May 2d, mentions the capture of St. Lucia. This information is fully contradicted by the articles under the St. John's head in this day's paper: from which it appears that on the 15th of May, Morne Fortune, the principal fortress in St. Lucia, had not surrendered; nor does it appear that such an event was likely to take place.

PARIS, April 2.

Letters from Vienna state, that Clairfayt is to repair to Petersburg, in consequence of an invitation from the empress. It is believed, that the object of this voyage is relative to a war which Russia seems to mediate against the Turks, as being the creation of the threisold alliance.

April 8.

Our bankers, who heretofore discharged their engagements in ready money, now pay all in instalments.

Great numbers of English ships, are brought into our harbors. One was lately brought into Brest, worth 400,000 livres in ready money.

April 10.

Afflicting news has been received from the department of Cher. The assemblages of royalists which have been formed there are become more numerous, and have already committed many acts of violence. The town of Sancerre is said to be already in their hands, where they have destroyed all the Republican symbols, and hoisted the white flag. It is a Monseigneur Bouthilliers, an ex-constituent, who is at the head of this insurrection. Our government has ordered troops to march thither; and is taking the most active measures to put a stop to this rebellion and to discover the authors.

If the *Ami des Loix* may be credited, the directory have perceived the folly of treaty concluded with the elector of Hanover, and has just given orders to invade his dominions. We did not know that the engagement contracted under the faith of treaties, could be considered as foolish. We are equally at a loss to know whether this policy, which was doubtless invented by Charles Lacroix, is well calculated to secure the attachment of the court of Berlin, under whose mediation that neutrality was agreed upon.

It is acknowledged that the negotiations with the court of Turin are broken off. We are assured, that the Sardinian Minister refused to receive two Frenchmen who were charged with proposition for peace, because it was known before hand, that terms were inadmissible. There are some who ascribe their conduct, in this instance to the intrigues of the English and Emigrants.

In order to avert the dangers which threaten him, Freron, has married the sister of General Bonaparte.

General Pichegru, having definitely declined the embassy to Sweden, and being willing to enjoy the charms of repose in the bosom of his family at Arbois, the place of his nativity, the government is to send to Stockholm a simple Charge de Affaires who is not known in a diplomatic character. He is ordered to depart in two days.

Gen. Moreau sets off to-morrow to take the command of the army of the Rhine.

INTERIOR OF FRANCE.

FROM THE PARIS PAPERS.
Letters from Bourdeaux state, that the trade of that city is in absolute stagnation; and that although all sorts of merchandize are 25 per cent. cheaper than formerly, yet they cannot be sold for want of buyers.

The Angers Gazette gives an account of an action near the Commune of Green-Soule, between

Chateau-Gontier and table, in which the Chouans were defeated, with the loss of 320 men.

The rebels have evacuated the town of Banerte, in the department of Cher, of which they had possessed themselves; and a battle has taken place between them and the Republican soldiers, wherein the former are said to have lost 700 men.

The Vendees, on the 7th of April, sent two of their leaders with a flag of truce to summon the garrison of Tucheray to surrender. The garrison, having fired on them, the Vendees to the number of 3000, marched to the gates, and again summoned the place when the inhabitants answered the summons by a discharge of musquetry. The Vendees then set fire to the town which continued to burn when the account left Vire. The inhabitants are said to have carried off 10 or 12 cart loads of their fellow citizens, either killed or wounded.

On the 5th instant, about 100 men, armed with pikes and pitchforks, repaired to the Commune of Piedrefitte, burned the decrees and papers which respected the forced loan, and read a resolution to the Municipality, which, in the name of the King, annulled all the Republican acts. This armed force at last obliged the Municipality to cut down the Tree of Liberty, and make the Secretary write on a white flag, which they hoisted on the temple, the following inscription: *Vive le Roi, et Sainte Religion.*

April 17.

The groups of Anarchists and Jacobins continued yesterday very dangerous and very warm. Men who boasted of having concurred in the sedition of the 1st Prairial declared that the moment was now come for completing the work then left unfinished, and for re-establishing the Satellites of Robespierre, dispersing the Deputies, annihilating the Directory, and re-assembling all the members of the Convention not re-elected, in order that they may proclaim the code of 1793.

April 18.

Louvet says, the agitation of mobs and violent commotions still continue. The Constitution of 1793, and Robespierre are the rallying signs of Royalty. The Emigrants paid by Mr. Wickham, mix among these crowds, as well as Amar and Vadier, members of Robespierre's Committee of General Safety.

According to letters received from Nantes, Angers, and other departments, infested with Chouans, they have been beaten and dispersed wherever they have been met by the Republicans. There is reason to expect that it will not be long before this unfortunate war is terminated.

We yesterday perceived at the Thulleries all the elements of sedition and massacre; the agents of the tyranny of 1793, General Rossignol, and others of the criminal tribunal. The Pantheonists go almost every night to the Cafe des Bains Chinois on the Boulevards, which is become the principal home of Anarchy, and they spread themselves over Paris in parties of ten, twelve or twenty men, and women, and by this means endeavor to organize Revolts.

The Mandats lost yesterday from 80 to 84 percent. The Louis was at 5850 and 5900.

HUDSON, (N. Y.) June 2. Extract of a letter from a gentleman in Paris to his friend in this city, dated 12th March 1796.

The treaty lately negotiated with Great Britain, has been the means of destroying effectually the friendship which happily subsisted between America and France, and I assure you, we, all who are in France apprehend something serious will be in consequence, had that treaty taken place in the time of any other administration, but

the present one, it would have been dangerous for Americans to be in France. We are now even treated with the greatest contempt. The name of American is despised, more than that of any other nation and I am informed from good authority, that the convention have fixed upon two men to go to America and demand of our government the cause of refusing a very advantageous treaty with them, and immediately entering into one of the most infamous treaties with their most implacable enemy, and in direct violation of the treaty already subsisting between the two countries. The French are very much displeased at a certain part of the president's speech at the meeting of congress, when expatiating on the happy situation of America, he contrasted it with the present distracted situation of Europe. The French say it is very justly, that he reflected, and even seemed to exult, at their unfortunate internal convulsions.

I am very much afraid that our present system of politics will involve America if not in war, in a situation almost as bad. I am with every body else here, of opinion that the alliance between America and France is nearly at an end, owing to the late close connexion with their and even our most inveterate enemy.

The English only want an opportunity to annihilate the American government, and this is the nation with whom we are keeping alliance—and violating treaties with this gallant nation to whom we owe our present boasted happy situation.

I know your aristocrats in Holland, will say I am an enthusiast, &c. that I have sworn eternal enmity to the British nation and will not bear reason when it respects England but have formed my political creed from prejudice—you can only tell them—they are wrong as it respects commercial affairs for in that I have no prejudice—whatever is best for my country in commerce, is best for me—I am as dispassionate and can hear reason as well as most aristocrats—I with some of those wife acres were here who say the French will take no notice of the treaty, who also say we shall be treated with more civility by the British. The pride and haughtiness of that nation, is the same as ever and their hatred to Americans is proverbial—we are now hated and despised by both, whereas, before the treaty, we were respected by the French and only hated by a nation that is itself hated by all the world. This city is at present perfectly quiet, we hear not a word about war, 'tis true they are making vast preparations in every part of the Republic such an army as they now have was never before known, a young man is hardly to be seen in Paris.

I am happy to inform you, capt. Barney has had ample satisfaction for his infamous treatment, he has two cutters and a brig, privateers. One of the cutters has brought in prizes to the amount of two or three hundred thousand pounds sterling. Barney has shared himself at least one hundred thousand. He is capt. of a ship of the French line, but not at present in actual service."

BOSTON, June 11.

It is with regret we learn, that the President of the United States, will decline being a Candidate for that important office, at the next election. It behoves, therefore, the Citizens of the United States, that none but Federal Electors be appointed at the next choice.

PHILADELPHIA, June 15. Last Friday the new copper bottomed ship Mount Vernon, belonging to this port, outward-bound for London with a valuable cargo, was taken about one hour after the pilot left her, by the French privateer schooner Flying-Fish, which failed from hence a few days since. The privateer's men took every person, captain and crew, out of

the Mount Vernon, put them on board a pilot boat, and sent them off.—The captain of the Flying-Fish had a list of five or six American ships belonging to this port, which he said he was determined to capture.

Extract of a letter from Baltimore, June 10.

Last night I received a letter [April 20.] My correspondent informs, that citizen Jeannet, accompanied by citizen Lajenettier, the new governor, and citizen Maile, the Orator of the Colony, besides several other officers of the Administration, had arrived there three days before, all in good health. The frigate La Medee, the corvette La Berger, and the cutter Le Dragon, are consequently at Cayenne.

The Republican brig Le Crocodile, carrying three 24 pounders, and 50 men, which citizen Polony some time since brought to Cayenne, has just taken near the mouth of the Amazone, the Portuguese ship La Princesse Royal, commanded by one Trinita, a Lieutenant in the navy, carrying twelve 9 pounders, 59 men, and laden with timber, 150,000 weight of coco, coffee, cotton, &c, and fix boxes of piastres. This ship was coming out of the Amazone, and struck without firing a gun. The sight of the tri-coloured flag alone made them fall down on their knees.—I vouch for the truth of the above intelligence."

The bearer of this letter confirms the account of the capture of the Cork fleet, announced at Barbadoes by the flood of war, which was the only one that escaped:—On receipt of this news, which was brought on the tenth of May, the embargo, which had lasted 3 months, was taken off.—The same person announces also, that Admiral Christian had, near Madeira, fallen in with the Dutch fleet, and was TAKEN!

June 12.

It is reported, that the French Republic had declared war against Hamburg. The cause, we are told, originated in a refusal of the Senate to recognize the French Resident.

Thursday, the brig Lady Walleroff, Capt. Gutierrez, arrived here in thirty-six days from Teneriffe. The captain says that information had been brought to Teneriffe by way of Spain, before he sailed from thence, that a peace was concluded between the Emperor and France, but we doubt the authenticity of this account, having advised directly from Cadiz of the 21st April, from Paris the 19th, and from Hamburg, of the 13 which make no mention of such an event having taken place. The peace is said to have been concluded on the 1st of May; but we do not think it probable, that if that had been the case, that information could have been received of it at Teneriffe on the ninth of May, the day on which the brig set sail.

The Philadelphia Gazette states the owner of the Flying fish, who, it appears was on board at the time of capture, to have behaved with great politeness to the captain, officers and passengers. Mr. Robertson mate of the Mount Vernon, was offered 3,000 dollars and to be made prize master of the next American ship the privateer should take, if he would remain on board the privateer—which he refused. The British would have commanded his services at a cheaper rate. Imprescription is an expeditious and effectual mode of procuring hands, and then money is not given to encourage the impressed to the duty, but punishment inflicted if they fail.

It appears that Mr. Paris, has another privateer schooner cruising in concert which is going to the eastward to look for such ships as sailed from Boston or New-York.

By the pilot who returned yesterday from the brig Mary belonging to Mr. Leamy, we have the pleasure to hear, the brig got out in safety on Friday morning last, but that the Flying Fish privateer was then cruising without the Capes, and seen to board several vessels outward bound, and one of them, name unknown, supposed to be captured.

In consequence of the foregoing information, we are sorry to add, that we understand the public insurance offices have refused to underwrite several vessels, but at such premiums, as to prevent the outward bound ships, for British ports from failing. The ship Philadelphia, which put back some days ago, in consequence of the information given by Captain Dominick, is still waiting for orders at Reedy Island.

Just as this paper was going to press information was received that the privateer Flying Fish, was spoken with on the 12th instant about 20 leagues off the capes, steering southward and eastward, under easy sail, by Capt. Brown, of the ship Lavina, just arrived from Liverpool.—This fact contradicts what has been said of the Flying Fish having orders to take every American vessel bound to or from British ports.

(Philadelphia Gazette.)

The alarm spread in consequence of the idea conceived, that the French privateers might have received orders to capture American vessels bound to British ports, had such an effect, for two or three days past, as nearly to prevent our outward bound shipping from sailing; and it had still a further effect with the insurance offices, to prevent their underwriting. The apprehension of some have however since subsided, and the underwriters, we learn, are again on 25 usual.

[Finley's Register.]

Capt. Latimer, arrived on Thursday from Jerome, which port he left the 5th instant, states, that the British forces have been defeated at St. Lucia.

Lexington, July 9.

Every honest man must be pleased to learn that the court of Spain has agreed to restore the property of the French residents, so meanly, or rather so villainously seized on the declaration of war.

Yesterday being the anniversary of the declaration of American independence, was celebrated here with all the enthusiasm which an event so important to our country would naturally inspire. Early in the morning the different volunteer corps assembled; and after some manoeuvres which reflected the highest honor on the officers and soldiers, they retired in a body, accompanied by a great number of the most respectable citizens, to the sycamore Grove, where an excellent dinner had been prepared for the occasion. The importance of the occasion, the pleasing recollections which it recalled, the mirth of the day, and the general spirit of joy and festivity, rendered this one of the most interesting scenes we have witnessed. No personal animosity, no illiberal system of politics, interrupted the general joy: they felt and acted like freemen, and with exulting hearts and applauding hands, joined in drinking the following toasts: After which the troops returned to town and fired three volleys.

1. The day and all who honor it.

2. The Republic of France.

3. The Republics of Batavia and Geneva.

4. The patriots of America—May they never cease from their endeavors to promote the welfare of their country.

5. Ossenhoek and the patriots of Poland.

6. The militia of the United

States—May their military ardour
prove to tyrants that citizens are
the proper guardians of national
honour.

7. The legion of the United
States.

8. Peace with honour to all the
nations of the earth.

9. Equal liberty through the
world.

10. Agriculture and her hand-
maid commerce.

11. May national wealth never
be sacrificed to individual emolu-
ment.

12. The president of the United
States.

13. Confusion to all combina-
tions against the rights of man.

14. The Spanish treaty.

15. The memory of those who
have died for the liberties of their
country.

16. The Patriots of 1776.

At an early hour the company
retired—a splendid ball concluded
the scene; where the citizen sol-
diers recounted the pleasures, and in
the smiles of beauty forgot the
fatigues of the day.

[Kentucky Herald.]

HAMBURG, April 22, 1796.
Letter from Stockholm dated
April 8.

Information is just received
here, that the emperors of Russia
had marched an army to the bor-
ders of Finland and ordered her
fleet to be fitted out; the king of
Sweden is unacquainted with the
design of the emperors in taking
this measure, but has given imme-
diate orders for his army in Swe-
den and in Finland immediately to
prepare for war. He has also or-
dered to be fitted out his large and
small fleets. The Russian army is
supposed to be 600,000 men strong.

Another letter of the same date.
The courier, which our ambas-
sador Baron van der Marck has
forwarded to Petersburg giving in-
formation of the preparations
which are there making for war,
was sent from Petersburg on the
9th of March. The orders which
he gives to the commander in
chief of Finland are, that the
whole army of that province shall
repair to its borders, in order to
defend it against any attack which
may be made upon it.

HOUSE & LOT For sale.
I purpose selling the House
and Lot where I now live, on Short street in
this place—it is a good framed House, 23
by 30 feet, with a shed 8 feet wide. The
House, 13 feet wide. Post roads may be
had immediately on the terms known by
applying to the subscriber on the premises.

William White.
Lexington, July 6.

For Sale—The House and Lot
WHEREON I now live, on Limehouse
street, in the town of Lexington; the
lot is 40 feet front and 66 feet back; the
house is 24 feet front and 16 feet back
built of square logs, one story high—Part
cut, and part have gables, or other property,
will be taken in payment. For terms ap-
ply to

William Rof.

July 7, 1796.

Taken up by the subscriber
living on a branch of the Cove spring, about
three quarters of a mile from Thomas Luis
Lane, Franklin County, a fine bitten gray
knot, about fourteen hands high, branched
on the near shoulder, A, squared to be ele-
ven years old; appraised to £15.

Timothy Bennett,

April 28, 1796.

Taken up by the subscriber
Madison county, Point Hick, a bright bay
mare five years old, fourteen hands high, a
small star and spot, near hind foot white,
shaved on the feet with riding; no brand;
will be taken in payment to £15.

Andrew Kennedy.

April 28, 1796.

Taken up by the subscriber
living on the Ohio, at the mouth of Cabin
 Creek ferry, a black mare, about fourteen
hands high, five years old, no brand nor ear
mark. The owner is desired to come
prove his property, pay charges and take
it away. JOHN WAUGH.

FOR SALE.

One Hundred Thousand Acres
of Valuable LAND,

SITUATED in the counties of Franklin,
Clinton, Bourbon, Madison, Madison, Lin-
coln, Hardin and Green. The taxes shall
be paid, and other imbursements discharged
at the time, and in the manner prescribed
by law.

The subscriber, who will hereafter reside
in this town, is authorized to dispose of
the above mentioned property by a power of
attorney, recorded in the office of the court
of appeals. As he means to practice law in
the adjacent courts, persons desiring to pur-
chase the different tracts, will have an op-
portunity of contracting with him at any of
those places.

Charles W. Bird.
Lexington, July 18, 1796. 12m.

Taken up by the subscriber
one mile from Richard Armstrong's ferry,
Merger county, a gray horse, about
one and a half years old, fifteen hands and a
half high, a small bell on with a leather col-
lar and round buckle, has been round shod,
branded thus, S appraised to £9.

John Butler.

April 22, 1796. 5

Taken up on Kennedy's
creek, about half a mile from the Ohio, and
about three miles from Limestone, a light
bay mare, a small bunch of white hair in her
mane, occasioned by the collar, a full star
in her forehead, about fourteen hands and a
half high, about five years old; valued
£22. Poised by JOHN M. BRADY. Given
under my hand this 10th July, 1796.

GEO. MITCHELL, Limestone
Niles County.

WHEREAS Hannah Lout, my wife, has
eloped from my bed and board, with-
out any just cause—she is therefore to
forwards all persons from crediting her
as the said Hannah, on my account, as I am
determined to discharge none of her debts
or be accountable for none of her contracts.

Daniel Lout.
June 10, 1796. 3wEGtP.

Logan county, Green river,
near Amos' ferry.

This is to inform the pub-
lic, that myself and my wife ANN, being
lawfully married, both mutually and
mutually agreed, to make a total separation
from this time forward; and having made a
total division of our property to both our
families, with mutually to forewarn all per-
sons whatsoever, from dredging or trouting
either of us from this time forward, with
any new or old weapon, any thing from the
other, as we are determined to have no dealings
with this from thence. In witness whereof, we
mutually agree, and sign our hands and seals
this 24th day of June, 1796.

John Steel, (Seal.)
Ann Steel, (Seal.)

Charles Miller,
James Antos,
Tim. Conely. RGT: 3w

I hereby forewarn any per-
son or persons from purchasing the house and
lot, or any of the house old furniture which
is now in possession of Catharine Gaffin, as
this is only to hold it till her death; and
which will afterwards bequeath to me or my
heirs. AMOS GUSTIN.

Lexington, July 8, 1796. 3w

NOTICE—that I sold to a certain Silas
Payne, twenty-six hundred acres of
land upon Green river, in the following
tracts: One of 300 at the forks of Caley's
fork, one of 600 above on the well fork,
1300 between the forks and mouth, one
of 400 in the name of John Hunter, one
of 100 above the mouth, in the name of
John McAlister, and one of 220 upon
Green river above. The last payment is
not due before the first day of January 1797,
but I entail a mortgage upon the land and
as security until paid, which is recorded in
Madison county court.

JAS. BARNETT.

July 5, 1796. 3w

PUBLIC NOTICE is hereby given, that
we shall attend the commissioners ap-
pointed by the county court of Harrison, in
pursuance of an act of the assembly of Ken-
tucky entitled "An act to ascertain the
boundaries of lands, and for other purposes,"
on the 23d day of August next, at Sam-
uel Jameson's tavern, in the town of Cynthian,
and from thence proceed to the
lands obtained by the following entry, and
then and there to take the depositions of
many persons relative to certain boundaries
of the same, to wit—May 15, 1782, James
Blane enters 2000 acres upon a treasury
warrant on the forks of Licking, between
the South and Salt spring fork, about three
miles N. E. of Samuel Jameson's land, run-
ning north and east to include a locust
ridge.

JAMES BLANE.
LUCAS SULLIVANT.

James Wiley,
John Patterton,
Pat Hunter,
James Ringland,
Macon county, June 8, 1796.

NOTICE—that on Monday the 25th in-
stant, I shall attend with the commis-
sioners appointed by the county court of
Howard, and will be present by the entry
of certificate of William Clegg, to prove
the old trace crosses the north fork
of Howard's creek, in said county, in order
to perpetuate testimony respecting that
claim, and also the claim of Richard Seary
adjoining; of which all persons whom it
may concern are desired to take notice.

Reuben Seary.
July 1, 1796. 5

NOTICE—that on Monday the 25th in-
stant, I shall attend with the commis-
sioners appointed by the county court of
Howard, and will be present by the entry
of certificate of William Clegg, to prove
the old trace crosses the north fork
of Howard's creek, in said county, in order
to perpetuate testimony respecting that
claim, and also the claim of Richard Seary
adjoining; of which all persons whom it
may concern are desired to take notice.

Hugh McIlvain.
Lexington, May 4, 1796.

For more Advertisements see Gazette Extra.

NOTICE

NOTICE given to all whom it may con-
cern, that commissioners appointed by
the court of Madison, will meet at the house
of John Keith on main Fleming, on the 25th
day of July next, in order to perpetuate the
testimony of certain witnesses respecting the
presumption of 1000 acres of land made in
the name of Mefor Reeler; and do such other
acts as shall be deemed necessary and
agreeable to law. JOHN KEITH.

June 10, 1796.

NOTICE

NOTICE given to all whom it may con-
cern, that commissioners appointed by said
court, on Monday the eighteenth of July,
I shall attend at an improve-
ment on Stoner's fork, in the coun-
ty of Clarke, claimed by me and
included in an entry of 1000 acres
made on a preemption in my name,
which is where the old Green Bri-
ar trace crosses said fork, with
certifications to perpetuate the
said improvements, and do such
other acts as is by law directed.

JOHN YOUNG, for
SIMON MORGAN.

July 1, 1796. 5

NOTICE

NOTICE given to all whom it may con-
cern, that on the twenty-fifth inst.
I shall attend at an improve-
ment on Stoner's fork, in the coun-
ty of Clarke, claimed by me and
included in an entry of 1000 acres
made on a preemption in my name,
which is where the old Green Bri-
ar trace crosses said fork, with
certifications to perpetuate the
said improvements, and do such
other acts as is by law directed.

JOHN YOUNG, for
SIMON MORGAN.

July 1, 1796. 5

NOTICE

NOTICE given to all whom it may con-
cern, that on the first Monday in
September next, if not, or next day, I shall attend, with
the commissioners appointed by the
court of the county, at Dam-
ascus, Linley, and induced to perpe-
tuate the testimony of certain persons
in an entry of 1000 acres of land
made in the year 1780 in the name
of William Gray, on the old trace
leading from Huddersfield to the
Falls, about five miles from the old
ford on Benion. And do such
other acts as shall be deemed necessary
and agreeable to law.

Lewis Craig.

July 2.

PUBLIC NOTICE

NOTICE given to all whom it may con-
cern, that on the fourteenth instant, in the town
of Winchester, in the county of Clarke,
appeared a man who called himself John Davis,
and proposed selling a chestnut foal
horse about two years old, fourteen hands
high, three white feet and a blaze brand
branded on the near shoulder and buttock.
I.D. The conduct of the said Davis in the
sale of the horse being suspicious, he, together
with the horse were detained till the
night of the 10th, when the said John Davis
admitted driving the said horse and a dark
bay mare (which was also brought with him)
fourteen hands high, seven or eight years
old, large saddle fender, brand in the
forehead, and branded on the near shoulder
B.F. Whoever buys the said horse and
mare are desired to come forward above
their property, pay charges and take them
away.

N.B. The said Davis also left his wife
&c. &c. June 10, 1796. 3t

STATE OF KENTUCKY.

NOTICE given to all whom it may con-
cern, that on the second Monday in
September next, and after the comple-
tion of the complaint by his
counsel, it is ordered, that they do appear
here on the second Monday in October
next, and answer the complaint's bill
that a copy of this order be forthwith inserted in
the Kentucky Gazette, and published
for two months successively, and published
from Sunday to Saturday in the Presbyterian
meeting house in Lexington, immediately after
Divine service, and at the front door of the
court house of this county.

(A copy) Telle LEVI TODD, C.Cu

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from Sunday

WAS stolen on the night of the fifteenth
day of June, about a bright bay MARE, about
twelve years old, about fourteen hands high,
no brand, some fiddle spots, has had the poll
evil. Also a foal FILLIEY, one year old
last spring, no brand nor natural mark, ex-
cept a small white spot on one of his hind
feet near the hoof, natural trotter—supposed
to be stolen by a negro. Whoever se-
izes said horses or either of them, so that I
get them, shall be handsomely rewarded and
all reasonable charges paid by me.

John McCracken.

N. E. Also was stolen, a tankeen coat,
waistcoat and breeches—the coat black-
one for hat and a pocket book, with fundy
pocket, and a small fiddle spot, about
30¹ and one nose to Peter Elswat-
weller, of about 13¹, one receipt of about
14¹ wrote in Dutch, and several other par-
ters. 1¹ wt July 8, 1796 J. M.

I hereby forswear all perjury from taking
an affigment on a bond of mine given to
John Kincaid, of between 35 and 36¹ da-
ys ago, for the recovery of a horse and
trunk of which I purchased from the
Kincald; which land appears to have
disputes more than I know of; therefore, I
am determined not to ditcher, the said bond
until I can obtain a deed for the said land.

Thomas Ricketts.

June 6, 1796. 13w

Taken up by the subscriber, on
Goose Run, Harrison county, a dark bay HORSE,
three or four years old, fourteen hands high,
branded thus W on the near shoulder, has a star
and snip, not docked, appraised to 91. 10s.

ROBERT LOWRY.

May 12, 1796.

Taken up by the subscriber, liv-
ing on the West side of Salt River, four miles
from Alex. Buchanan's mill, Mercer county, a
brown MARE, thirteen years old, fourteen hands
high, a small star, a small saddle spot on the off
side of her back, some white on both hind
feet, appraised to 51. Also an iron gray mare
calf, appraised to 31.

ALBERT PLOCH.

April 30, 1796. 4

TAKEN up by the sub-
scriber in Mercer county, on Chap-
lain's fork, seven miles from Harroldburgh,
a bay MARE, judged to be ten years old,
thirteen hands high, has a small star and bond
on the neck, a small saddle spot on the off
side of her back, some white on both hind
feet, appraised to 61. Also a small black
buckskin, not docked, appraised to 81.
William Lee.

May 10, 1796. 4

TAKEN up by the sub-
scriber, living in Bourbon county, on
Indian creek, a flea-bitten gray Mare, a-
bout fourteen years old, thirteen hands
high, with a six shilling bell on, branded ID
on the near shoulder and buttock, a red spot
on her neck, appraised to 61.

Adam Baker.

April 19, 1796.

Taken up by the subscriber
living in Woodford county, near the mouth
of Clear creek, a foal horse, four years
old, trots natural branded on the right shoul-
der and buttock with a writing I, and on
the left shoulder with II, appraised to 121.
JOHN PINN.

June 4, 1796. 1

Taken up by the subscriber
living in Pleatuit run, in Washington coun-
ty, a brown mare, nine years old, thirteen
hands high, a half high, trots and paces,
branded on the near thigh, S, has on a
bell, tied with a leather strap, appraised
to twelve pounds.

Jacob Myers.

May 6, 1796. 4

TAKEN up by the sub-
scriber, living in Clarke county on wa-
ters of Upper Howard's creek, a bay Horse,
five years old, about thirteen hands three
inches high, branded on the right shoulder
thus II and on the right buttock thus T
small star in his forehead, both hind feet
white, appraised to 71. 12s.

William Cotton.

April 16, 1796. 4

TAKEN up by the sub-
scriber, living in Clark county on the
waters of Beach creek, a bright bay Horse,
ten or eleven years old, fourteen and a half
hands high, a star in his face, has been
branded with the collar on both sides of the neck, with
a large bell hung on with a piece of stroped
girth and two buckles, appraised to 61.

COONRAD MILLER.

March 12, 1796. 4

Taken up by the subscriber
in Clarke county, a roan mare, about 12
years old, 13 hands high, branded on the
left shoulder and buttock thus (CB) and is
with a white brand on the side of the neck, with
a small star and a small saddle spot, appraised to 71. 5s.

Thomas Williams.

May 23, 1796. 1

BLANK DEEDS
For sale at this OFFICE.

FOR SALE, The following tracts of LAND, (VIZ.)

300 acres on the waters
of Otter creek, Madison county adjoining
Caleb Callaway's Neck Buckle lands.

138 acres on Callaway's creek, about

four miles below Bonniborough.

35 acres on Paint lick creek, near Paint
lick.

350 acres on ditto, adjoining the lands of

Henderson and Stephen Trig.

250 acres on ditto, near the lands of John
Maxell.

The above lands are all patented in the
name of Nathaniel Hart, & the heirs of Na-
thaniel Hart deceased. The whole of which
will be sold on the lowest terms for CASH.

For further information apply to JOHN HART
in Danville, or the subscriber in Frankfort.

3¹ NAT. HART, dec.

Acting Encls. of NATHANIEL HART, dec.

CHEAP LANDS FOR SALE.

The subscriber—
propose selling the following
Tracts via

500 acres, about five miles from the
center of Lexington, on the road to Frankfort,
a tract called Paintlick Woodstock tract,
within eight miles of Lexington and seven
from the Kentucky river; in the center of
which is a never failing spring.

Five hundred acres, lying within three
miles of the town of Cyathina, being one
of a thousand acre survey made for
John McElroy, adjoining Colman's station.

Five hundred acres, situated on the

Hanging Fork, within six miles of the late
governor's; one hundred and twenty acres
of which is well cleared; on a tract of
about five miles square, containing a
large orchard of fruit trees, and some
fallow ground.

Five hundred acres, situated on the
Hanging Fork, within six miles of the late
governor's; one hundred and twenty acres
of which is well cleared; on a tract of
about five miles square, containing a
large orchard of fruit trees, and some
fallow ground.

One equal half of the ferry at the
town of Cynthiana, on Lickie, at the mouth
of Stoner.

We will sell the above property VERY
LOW, as we are in want of money, and will
give a good and sufficient title.

ABIJAH & JOHN W. MUNT,

Georgia, 3¹ W. M. Munt & Young.

Saunders my wife, having
removed from this state, this is therefore
to caution all persons from dealing with her,
as I shall pay no debt of her contracting.

JOHN SMITH, jun.

May 29, 1796.

FRESH GOODS

Alex. & James Parker,

At their store in Lexington, opposite
the Court House, a large and handsome
affgment of well chosen MERCANDIZE,
suited to the present season; which they
will sell on very moderate terms for CASH
and HIDES.

May 27, 1796.

THE SUBSCRIBER

Has opened in the stone house adjoining
Ms. H. Marshall's Tavern, lately
occupied by Mr. William Shreffer & son,
affgment to be sold at a neat and
well chosen affgment of

MERCHANDIZE,

Which he will dispose of on very moderate
terms for cash or country produce.

WILLIAM WEST.

LEXINGTON January 22 1796.

Just Received,
AND NOW OPENING

BY THE SUBSCRIBER,

1¹ The house lately occupied by Mr. Jas.
Craig, in the town of Versailles, Wood-
ford county, a handsome affgment of
MERCANDIZE,

suited to the present and approaching
season—confiting of dry goods, wine, French
Brandy, Lard and Brown Sugar, Shot, Lead,
Bar Iron, &c &c &c. Which he is determined
to sell on the lowest terms for cash,
Country Linnen, Cheese, Bacon, Furs,
Vinegar and Oats.

He earnestly requests all those indebted
to him at his last house in Lexington, or by
note, to come forward and make payment
by the twentieth of July next, after which
time, all those that fail, except to which
they account put in the hands of proper
officers for the collection of the same.

William Shreffer.

Versailles, June 22, 1796. 4

200 acres of Land

For sale, as good as in the state, on the
main road leading from Lexington to the
major Henry's mill, six miles from Lexington
and six miles from Georgetown: 90
acres in good fence, 82 cleared, 8 acres of
good meadow as in the state. The title
indisputable.—For terms apply to Mr. John
Gardner, who is fully authorized to make
sale by me,

R. Benham.

May 27, 1796.

NOTICE

I hereby give notice to all whom it may con-
cern, to come forward and make payment
by the twentieth of July next, in order to
perpetuate the testimony of certain

witnesses respecting an entry of 1000 acres

of land in the name of George Stockton;

it being his presumption, that he did so

as shall be deemed necessary and agreeable
to law.

GEO. STOCKTON.

June 10, 1796.

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GEO. STOCKTON.

June 10, 1796.

NOTICE

I hereby give notice to all whom it may con-

cern, to come forward and make payment
by the twentieth of July next, in order to
perpetuate the testimony of

TAKEN up by the subscriber, living on Flat creek, a bay Mare, six years old, fourteen hands three inches high, has some freckle spots, branded on the left shoulder, and on the left buttock P, apprised to \$12. THOMAS FERGUSON.

March 21.

STATE OF KENTUCKY.

Fayette County, June Quarter Session Court, 1795.

Jonathan Hyatt, Complainant,

Against

John Wiggleworth, Defendant.

IN CHANCERY.

THE subscriber having entered his appearance agreeable to an act of Assembly and the rules of this court, and it appearing to the satisfaction of the court that is not an inhabitant of this state, therefore, on the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the second Tuesday in September next, and answer the bill of the complainant—that a copy of this order be inserted in the Kentucky Gazette for two months successively, and published from Sunday at the door of the Presbyterian meeting house in Lexington immediately after divine service, and at the front door of the courthouse of this county. (A copy) TUESDAY, June 21, 1796.

LEVI TODD, C. C. Q. S.

Supt. Ross & Co.

Thomas Carnal and Walter Carr, Defendants.

Def. Carr.

THE subscriber awarded in this cause being recurred executed on the defendant Thomas Carnal and Walter Carr, and appearing to the satisfaction of the court that the other defendants Ellbacy, Ross & Co. are not inhabitants of this state, on the motion of the complainant by his counsel, it is ordered that the said defendants Ellbacy, Ross & Co. do appear at our next meeting of court, and answer the bill of the complainant—that a copy of this order be inserted in the Kentucky Gazette for two months successively, and published from Sunday at the door of the Presbyterian meeting house in Lexington, some Sunday immediately after divine service.

(A copy) TUESDAY, June 21, 1796.

LEVI TODD, C. C. Q. S.

STATE OF KENTUCKY.

Fayette County, April Quarter Session Court, 1796.

John Allison, Complainant,

Against

James Pandery & C. Defendants.

Def. Taylor.

IN CHANCERY.

The defendant James Parker, not having entered his appearance agreeable to an act of Assembly and the rules of this court, and it appearing to the satisfaction of the court that is not an inhabitant of this state, on the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the second Tuesday in September next, and answer the bill of the complainant—that a copy of this order be inserted in the Kentucky Gazette for two months successively, and published from Sunday at the door of the Presbyterian meeting house in Lexington, some Sunday immediately after divine service, and at the front door of the courthouse of this county.

(A copy) TUESDAY, June 21, 1796.

Levi Todd, C. C. Q. S.

Fayette County, April Quarter Session Court, 1796.

Walter Carr, Complainant,

Against

William Pawling, John

South, Henry Garrett,

Thomas Johnson & Da-

niel Callahan,

IN CHANCERY.

THE defendants Henry Garrett, Thomas Johnson and Daniel Callahan, not having entered their appearance agreeable to an act of Assembly and the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this state, therefore, on the motion of the complainant, it is ordered that they do appear here on the second Tuesday in September next, and answer the bill of the complainant—that a copy of this order be inserted in the Kentucky Gazette for two months successively, and published at the door of the Presbyterian meeting house in the town of Lexington, some Sunday immediately after divine service, and at the front door of the courthouse of this county.

(A copy) TUESDAY, June 21, 1796.

LEVI TODD, C. C. Q. S.

FOR SALE,
FOUR HUNDRED ACRES OF
LAND,

WE WOULD OFFER, DEDICATED, ORCHARD,

MEADOWS, & GREAT PART OF THE LAND

AS THE RACEMAN IS BELONGING TO THE MILLS

ABOUT ONE THOUSAND WEIGHT OF WROUGHT IRON

PROPER FOR MERCHANTS—THE WALLS OF

THE LOWER FLOOR OF THE MILL-HOUSE IS SOUND,

AND AS HIGH AS THE MILL-HOUSE—THE WATER

WHEELS HAVE RECEIVED LITTLE OR NO DAMAGE BY

THE FIRE; AND COGS AND ROLLS WELL SEASONED

ARE READY—THE RACE IS PLANTED AT BOTH ENDS,

WALLED WITH STONE OR BOULDERS, AND THE DAM

PERHAPS THE BELT IN THE STATE, AND THE FURNACE

IS AS EASY TO MAKE AS THE MILL-HOUSE.

THE MILL IS NOW RUNNING,

AND IN GOOD ORDER, AND THE WATER MAY BE

PUT TO THE GRINDING OF WHEAT, AND THE MILL

MAY BE SET TO RUNNING IN FOUR WEEKS.

BEAMS, CHAINS AND FEATHERS WELL IRONED FOR THE

PURPOSE OF WEIGHING TOBACCO; AND HEAVY CHAINS,

WEIGHTS OR IRON FOR SCALES, FOR WEIGHING

FLOUR.

BOATS MAY COME UP FROM THE RIVER

TO THE MILLS IN HIGH WATER;—THE WHOLE BEAUTIFULLY

FITTED OUT FOR MILLER BUSINESS; AT THE MOUTH

OF BOON'S CREEK; AND MAY BE CLODED

WITH ABOUT 3200 PANNELS OF FENCE.

WAGGONS MAY PUT TO AND FROM THE MILLING

WITH SUCH LOADS AS CAN BE CARRIED ON ANY OTHER

ROADS.

A MILL IS DETERMINED TO FELL, I WILL GIVE A

QUOTATION ON THE MILL, FOR THE PURCHASE MONEY;

AND IF I CANNOT GET THE PURCHASE MONEY,

I WILL TAKE THE BELT PURCHASED,

AND MAKE AN INDETERMINATE TITLE.

FOR DETAILS APPLY TO THE FELLER NAME THE PRE-

MILLER.

ELI CLEVELAND.

June 22, 1796.

For Sale,

SIX THOUSAND ACRES OF LAND,

ENTERED FOR me, John Morris, Dec-

20000 Dollars, in the name of Little

Brook Morris, heir at law of said John Morris;

by living on Main Licking, being part

of one thousand acres, beginning at one hundred

poles above the mouth of a creek that runs into Main Licking on the north east bank,

about four miles below the fork of

Licking, and extending down Licking in

ten surveys—it is unnecessary to describe

the land, as the purchaser will be disposed

to make the necessary inquiries previous to

its making any proposal.—The title is subject

to a miller's right, which I have carefully examined

to be unexceptional.—Upon paying part

of the purchase money, a reasonable credit

will be given for the balance.

James Bryant, Atto. Infat.

For Littleberry Mifflin, Jun.

N. B. I WILL ALSO DISPOSE OF ANY OTHER

LANDS IN KENTUCKY CLAIMED BY HAD MATHY.

TROTTER & SCOTT,

HAVING SOLD off their Stores, earnestly

I REQUEST ALL THOSE INDEBTED TO THEM, TO

BOND, NOTE OR OPEN ACCOUNT, TO COME FORWARD

& MAKE IMMEDIATE PAYMENT TO THEM

& ME. WILLIAM SCOTT, WHO IS AN

AUTHORITY TO RECEIVE, AND GIVE DISCHARGES.—

THOSE WHO NEGLECT THIS NOTICE, CANNOT EXPECT

ANY LONGER INDULGENCE.—They will attend

for the above purpose at the house they

Lately occupied on Main street.

Lexington, April 21, 1796.

FOUR DOLLARS REWARD.

STRAYED away out of the pasture of

Captain Haynes' near Frankfort, hand-

some dark bay horse with a spot on the left

side of his nose, natural trotter about four

hands and a half high, low in flesh,

whatever will bring the said horse shall have the above reward and all reasonable

charges paid by them.

ELISHA WINTERS.

April 22.

ALL PERSONS

INDEBTED TO THE LATE PARTNERSHIP OF

IRWIN & BRYSON, are requested to

pay their accounts or notes to THOMAS IR-

WIN or JOHN A. SMITH, who only give

DISCHARGES.—One month's indulgence

will be given and no longer.

Lexington, 21st May, 1796.

LOOK HERE.

ALL THOSE INDEBTED TO THE SUBSCRIBER, either

by bond, note or book account, are re-

quested to come forward and pay off their

arrears before the first day of August next,

as he expects to make out of Lexington a

bustle.

THE MANAGERS,

Lexington Lodge Lottery.

NOTICE.

THE Managers intend to commence the

drawing of the Lexington Lodge Lot-

tery on the first day of August next.

It is therefore requested that those gentle-

men who have tickets to sell or give

them to the Managers, will return all the

tickets not sold on or before the 21st day of

July next.

THE MANAGERS,

Lexington, July 1, 1796.

CHN. SUMPTION.

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THE MANAGERS,

Lexington, July 1, 1796.

NOTICE.

THE Managers intend to commence the

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